

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RON FREEMAN, ) No. C 03-5440 MJJ (PR)  
Plaintiff, ) **ORDER DIRECTING PLAINTIFF TO FILE  
WITNESS/EXHIBIT LIST; SETTING  
FURTHER STATUS CONFERENCE**  
v. )  
DEPUTY GUSTIN, et al., )  
Defendants. )  
\_\_\_\_\_ )

Plaintiff, a California state prisoner currently incarcerated at San Quentin State Prison, filed this pro se civil rights complaint pursuant to 42 U.S.C. § 1983. The matter came before the Court for a telephonic status conference on January 15, 2008. Good cause appearing, it is hereby ordered as follows:

1. On or before **January 25, 2008**, plaintiff shall file a statement identifying all witnesses and exhibits he intends to present at trial, pursuant to Federal Rule of Civil Procedure 16(c)(7).<sup>1</sup> For each witness, plaintiff shall indicate whether the witness is currently incarcerated, provide the witness's current location, and, as to any non-incarcerated witness, whether plaintiff wishes to have such witness subpoenaed or whether such witness will appear voluntarily without a subpoena. For each incarcerated witness, plaintiff shall include the name of the institution where he is currently located, and for each non-incarcerated witness, plaintiff shall include the witness's current street address. Plaintiff is cautioned that he will be required to pay in advance the witness fees and compensation for travel for any non-incarcerated witness he wishes to have subpoenaed for

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<sup>1</sup>Defendants have already filed such a list.

1 trial. Plaintiff will not be permitted to call at trial any witness unless such witness's name and other  
2 information outlined above is included in the witness list filed with the court as ordered above.

3 2. A further status conference is will be held on **February 12, 2008, at 2:00 p.m..**  
4 Plaintiff indicates that he does not expect to be incarcerated at that time. If he is not  
5 incarcerated, the parties shall appear in person. If he is incarcerated, the parties shall appear  
6 by telephone; defense counsel shall call chambers at 1-415-522-4141 with all parties on the  
7 line, having made prior arrangements with prison officials to have plaintiff available for the  
8 call. The parties are instructed to file a Case Management Conference Statement, pursuant to  
9 Civil L.R. 16-9, on or before **February 8, 2008.**

10       3.     San Quentin State Prison officials are respectfully requested to allow plaintiff two  
11 telephone calls to allow him to prepare for trial.

12       4.     Plaintiff shall serve a copy of all papers filed with the Court upon defendants'  
13 attorney at the following address:

14 Edward J. Kiernan  
15 Office of the County Counsel, County of Marin  
3510 Civic Center Drive, Room 303  
San Rafael, CA 94903

17 5. All provisions of the June 7, 2008 Amended Pretrial Order not inconsistent with this  
order remain in effect

IT IS SO ORDERED.

DATED: 1/16/2008

Martin J. Jenkins  
MARTIN J. JENKINS  
United States District Judge